

CERTIFICATE OF MAILING BY FIRST CLASS MAIL  
37 CFR 1.8

# 3

I hereby certify that this paper and the papers referred to in this paper are being deposited with the United States Postal Service on October 21, 1998 in an envelope bearing First Class Postage and addressed to "Assistant Commissioner for Patents, BOX MISSING PARTS, Washington, DC 20231."

William J. Scanlon  
William J. Scanlon

October 21, 1998  
Date



PATENT APPLICATION  
Attorney Docket No.: 10006-4

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Richard L. Atkinson and Nikhil V. Dhurandhar  
Serial No.: 09/056,153  
Filed: April 6, 1998  
For: VIRAL OBESITY METHODS AND COMPOSITIONS  
Group Art Unit: 1643  
Examiner: not yet assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

ATTN.: Box Missing Parts


Sir:

In response to the Notice to File Missing mailed April 21, 1998 in the above-specified Application (hereinafter "the Application"), transmitted herewith are:

- (1) a Declaration and Power of Attorney executed by the inventors;
- (2) a Verified Statement of Small Entity Status by the owner of the entire right, title and interest in the Application;
- (3) a Petition under 37 CFR § 1.136(a) for an extension of time to file this Response;
- (4) a check, no. 1578, in the amount of \$ 1215.00, to cover for the small business entity which owns the Application (a) the filing fee and surcharge for the Application and (b) the fee for the aforementioned Petition; and

(5) a copy of the aforementioned Notice.

Respectfully submitted,

  
William J. Scanlon  
Registration No. 30,136

Dated: October 21, 1998

THE SCANLON LAW OFFICE  
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SECTOR \$  
UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/086,153 04/06/98 ATKINSON

0262/0421

WILLIAM J SCANLON  
THE SCANLON LAW OFFICE  
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SUITE 1  
MADISON WI 53703-3810

NOT ASSIGNED

1643

DATE MAILED:

04/21/98

### NOTICE TO FILE MISSING PARTS OF APPLICATION

*Filing Date Granted*

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 920.00.

☒ 1. The statutory basic filing fee is:

- ☒ missing.
- ☐ insufficient.

Applicant must submit \$ 790.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. Additional claim fees of \$ \_\_\_\_\_, including any multiple dependent claim fees, are required.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for \_\_\_\_\_ dependent claims over 20.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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10/28/1998 BHINS  
01 FC:201  
02 FC:205